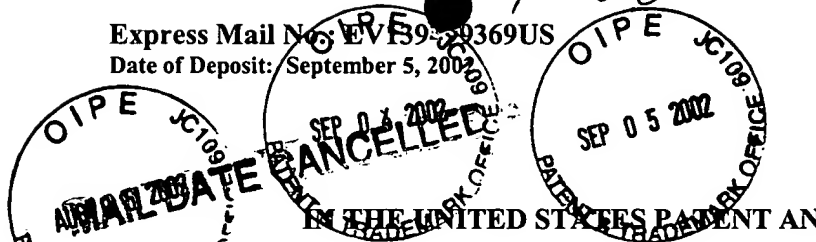


Express Mail No. EV159-39369US  
Date of Deposit: September 5, 2002

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PATENT APPLICATION  
Attorney Docket No. 15966-697  
(CURA-197)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Vernet, et al

SERIAL NUMBER: 09/800,198

EXAMINER: Fozia Hamud

FILING DATE: March 5, 2001

ART UNIT: 1647

FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

RECEIVED  
SEP 12 2002  
TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents

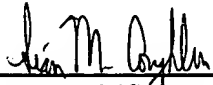
1. Response to Restriction Requirement Mailed (2 pgs.);
2. Preliminary Amendment (2 pgs.);
3. One-Month Extension of Time (1 pg.);
4. Check No.13931 in the amount of \$460.00; and
5. Return Postcard.

The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 15966-697 (Cura-197)). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Dated: September 5, 2002

  
Ivor R. Elrifi, Reg. No. 39,529  
Sean M. Coughlin, Reg. No. 48,593  
Attorney/Agent for Applicant  
c/o MINTZ, LEVIN  
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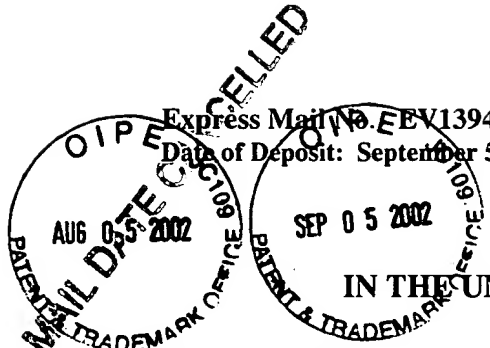


Express Mail No. EEV139499369US

Date of Deposit: September 5, 2002

Attorney Docket No. 15966-697UTIL (CURA-197UTIL)

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9/17/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Vernet, et al  
SERIAL No.: 09/800,198 EXAMINER: Fozia Hamud  
FILING DATE: March 5, 2001 ART UNIT: 1647  
FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

September 5, 2002  
Boston, Massachusetts

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO REQUIREMENT FOR RESTRICTION

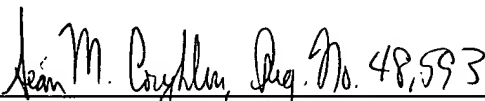
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In response to the May 7, 2002, Restriction Requirement application, Applicants elect Group I, claims 1-4, 38, and 41, drawn to an isolated polypeptide, classified in class 530, subclass 350 and SEQ ID NO: 8.

Applicants file a Preliminary Amendment herewith adding claims 50-54 that are also within the elected group and link the invention of Group I to the invention of the new claims. In light of *In Re Ochiai* and *In Re Brouwer* (Official Gazette, March 26, 1996 which establishes guidelines for treatment of product and process claims), such a linking claim permits joinder of claims relating to the making of a novel product or the use of a novel composition with the method of making the product or using the composition. In the present case, the linking claims use the novel nucleic acids of the invention with new claims 50-54 in a method of making the novel polypeptides of group I.

The Commissioner is hereby authorized to charge payment of any fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No.15966-697.

Respectfully submitted,

  
h Ivor R. Elrifi, Reg. No. 39,529  
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Dated: September 5, 2002

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